

**APPROVED 7/15/10**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

Meeting of the Zoning Board of Appeals held on Thursday, June 17, 2010 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Caren M. Genovese, Vice Chairman  
Donald F. Clark, Secretary  
Joseph A. Cappucci  
Joseph P. Villano

**MEMBERS ABSENT:**

Robert E. Martin, Alternate  
Mary Jane Mulligan, Alternate  
Cheryl A. Juniewicz, Alternate

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandi Lion, Clerk

**AGENDA:**

Mr. Hannon, Chairman, opened the meeting at 7:32 PM introduced the members of the Board, the Town staff, the stenographer and clerk. He then explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. Mr. Hannon stated that applications #09-15, 48 Giles Avenue, #10-10 & #10-12, 46 Hartley Street, #10-13 & #10-14, 441 Sackett Point Road, are postponed to the July 15, 2010 meeting.

**A-2 SURVEY WAIVERS:**

1. #A2W-10-05 Application of William Matthew, Owner and Applicant, relative to 200 Bayard Avenue, (Map 41, Lot 21), seeking a waiver of the A2 survey application requirement.

Mr. William Matthew, owner, presented the application to waive the A-2 survey requirement. The applicant is proposing to enclose a breezeway between an existing garage and house. Mr. Matthew submitted pictures and plans, exhibits A-D, and responded to the Board's questions.

2. #A2W-10-06 Application of Bernard Pellegrino, Esq., Applicant, David Marennna, Owner, relative to 46 Hartley Street, (Map 41, Lot 260), seeking a waiver of the A2 survey application requirement.

Attorney Bernard Pellegrino, Jr., representing the applicant, presented the application to waive the A-2 survey requirement to permit a split of a lot that was originally two lots. Attorney Pellegrino stated that a survey would not be necessary because the lot sizes are well established. The Board asked questions and Attorney Pellegrino and Mr. Alan Fredricksen, Land Use Administrator, responded.

#### **PUBLIC HEARINGS:**

1. #09-15 Application of Locust Realty Associates, LLC, Owner and Applicant, relative to 48 Giles Avenue, (Map 28, Lot 13), Appeal of a Cease & Desist Order of the Zoning Enforcement Officer. IG-80 Zoning District.

This application is postponed to the July 15, 2010 meeting.

2. #10-10 Application of Bernard Pellegrino, Esq., Applicant, David Marennna, Owner, relative to 46 Hartley Street, (Map 41, Lot 260), Appeal of a Decision of the Zoning Enforcement Officer, dated April 29, 2010. R-12 Zoning District.

This application is postponed to the July 15, 2010 meeting.

3. #10-11 Application of Vincenzo Buontempo, VB Home Improvement, LLC, Applicant, Michele and Ryan O'Connell, Owners, relative to 35 Bayard Avenue, (Map 41, Lot 228), per Section 2.1.1.9, seeking a front yard variance of 5' to allow a front yard setback of 20' where 25' is required, a side yard variance of 5.5' to allow a 4.5' side yard setback where 10' is required, a second side yard variance of 5.5' to allow a side yard setback of 9.5' where 15' is required and an aggregate side yard variance of 11' to allow an aggregate side yard of 14' where 25' is required. R-12 Zoning District.

Attorney Mike Ajello, representing the applicant, presented the application to replace an existing two car garage with a new garage. The proposed garage will have the same dimensions as the current garage. Mr. Vincenzo Buontempo, applicant, responded to the Board's questions.

Mr. Hannon asked for public comment. There being none, the public hearing was closed.

4. #10-12 Application of Bernard Pellegrino, Applicant, David Marenga, Owner, relative to 46 Hartley Street, (Map 41, Lot 260), per Section 2.1.1.9, seeking a lot area variance of 4,500 square feet to allow a lot area of 7,500 square feet where 12,000 square feet is required, and a lot width variance of 30' to allow a 50' lot width where 80' is required. R-12 Zoning District.

This application is postponed to the July 15, 2010 meeting.

5. #10-13 Application of William H. Rich, Applicant, Presto Technologies, Inc., Owner, relative to 441 Sackett Point Road, Parcel A, (Map 35, Lot 21), per Section 5.2.2, seeking a side yard variance of 25' to allow a side yard setback of 0' where 25' is required, and seeking a second side yard variance of 5' to allow a side yard setback of 20' where 25' is required. IG-80 Zoning District.

This application is postponed to the July 15, 2010 meeting.

6. #10-14 Application of William H. Rich, Applicant and Owner, relative to 441 Sackett Point Road, Parcel B, (Map 35, Lot 21), per Section 5.2.2, seeking a side yard variance of 25' to allow a side yard setback of 0' where 25' is required. IG-80 Zoning District.

This application is postponed to the July 15, 2010 meeting.

## **DELIBERATION SESSION:**

### **A-2 SURVEY WAIVERS:**

1. #A2W-10-05 Application of William Matthew, Owner and Applicant, relative to 200 Bayard Avenue.

Mrs. Genovese moved to approve the application; Mr. Cappucci seconded the motion.  
The Commission voted as follows:

Hannon – aye Clark – aye Genovese – aye Cappucci - aye Villano – aye

2. #A2W-10-06 Application of Bernard Pellegrino, Esq., Applicant, David Marenga, Owner, relative to 46 Hartley Street.

Mr. Clark moved to approve the application; Mr. Cappucci seconded the motion.  
The Commission voted as follows:

Hannon – aye Clark – aye Genovese – aye Cappucci - aye Villano – aye

**PUBLIC HEARINGS:**

1. #10-11 Application of Vincenzo Buontempo, VB Home Improvement, LLC, Applicant, Michele and Ryan O'Connell, Owners, relative to 35 Bayard Avenue.

Mrs. Genovese moved to approve the application; Mr. Clark seconded the motion. The Commission voted as follows:

Hannon – aye Clark – aye Genovese – aye Cappucci - aye Villano – aye

In approving the application the Board stated the following:

1. The variance is limited to the construction of this new garage only, and is required to have the same dimensions as the existing garage.
2. The lot is existing, non-conforming and pre-dates zoning.

**OTHER:** None

**CEASE AND DESIST ORDERS:** None

**MINUTES:**

May 20, 2010

Mrs. Genovese moved to approve the minutes of the May 20, 2010 meeting; Mr. Cappucci seconded the motion; the Board members voted as follows:

Hannon – aye Genovese - aye Cappucci – aye Villano – aye

**CORRESPONDENCE:** None

**ADJOURN:**

There being no further business, Mr. Clark moved to adjourn; Mr. Villano seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:11 PM.